

IN THE SENATE OF THE UNITED STATES.

APRIL 2, 1880.—Ordered to be printed.

Mr. CALL, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 148.]

The Committee on Pensions, to whom was referred the bill (S. 148) granting an increase of pension to J. Jackson Purman, having considered the same, make the following report:

That the committee find the facts to be as stated in House Report No. 57, which said report is hereto annexed and made part of this report, and is as follows:

[House Report No. 57, Forty-sixth Congress, second session.]

Mr. COFFROTH, from the Committee on Invalid Pensions, submitted the following report, to accompany bill H. R. 238:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. No. 238) granting an increase of pension, at the rate of \$24 per month, to J. Jackson Purman, late First Lieutenant in the One hundred and fortieth Regiment, Pennsylvania Volunteer Infantry, having had the same under consideration, respectfully submit the following report:

It is in evidence that the claimant was mustered into the service September 4, 1862, as First Lieutenant in the One hundred and fortieth Regiment Pennsylvania Volunteer Infantry for three years, and was in active field-service with his company and regiment until July 2, 1863, when wounded at the battle of Gettysburg, Pa. Owing to the character of his wounds received in that engagement, he was thereafter unable to rejoin his regiment for duty, and was honorably discharged May 23, 1864, by special orders from the War Department, for physical disability on account of wounds received in action. He is now in receipt of a pension at \$18, and asks that it be increased to \$24, to date from the date of his original certificate.

He bases his claim for increase on section 4698 Revised Statutes, which provides that "all persons who have lost a leg above the knee, and are so disabled thereby that they cannot use an artificial limb, shall be rated in the second class, and receive \$24 per month."

In this case it is shown that in the amputation of claimant's leg it was performed improperly; that the "stump" is with deficient covering to bone, and the tenderness prevents the continuous use of an artificial limb, and compels claimant to go on crutches the greater part of his time.

The nature of his present condition is established by the report of T. B. Hood, medical referee, Pension Office, and transmitted by the Commissioner of Pensions, and which is now on file with the committee, as follows, to wit:

"Examining surgeon's certificate.

WASHINGTON, D. C., May 2, 1879.

"I hereby certify that I have carefully examined J. Jackson Purman, late a lieutenant in the One hundred and fortieth Regiment Pennsylvania Volunteers.

"Disability permanent.

"I found, 1st, amputation of the left leg at a point about midway between the knee and ankle. The condition of the 'stump' is bad, because evidently there was slough-

ing of the flaps, leaving the stump conical and covered only by the integument which is stretched over the bones, is adherent thereto, and is consequently lowered in vitality. Very great care, and very great care only, could prevent sloughing of the poor covering here afforded, as any pressure, though very slight, if continued even for a few hours, would produce sloughing. The subject claims that he suffers great pain in the leg, and doubtless it is true. The thigh of this leg presents the condition of marked muscular atrophy.

"2d. I found in the right leg and about four inches above the ankle upon the lateral and anterior surfaces two adherent cicatrices which the subject claims mark the site of a gunshot wound. These cicatrices are adherent. It should seem from the course of the missile that the fibula was fractured, though the bone does not present any enlargement or outer evidence that it was so. The missile traversed the mass of muscles upon the side of the limb, viz, the two peronei, the long flexor of the toes, and the tibialis anticus. The movements of the leg are consequently limited and certain of them necessarily painful, rendering locomotion difficult and uncertain, particularly upon a rough surface, or in ascending or descending heights or a stairway. In addition to these local injuries it is clear that the general health of the subject suffers somewhat. That which he claims is, in my judgment, entirely consistent with that which is objective and rational in the case.

"T. B. HOOD, *Medical Referee.*"

The foregoing medical testimony establishes—

1st. That with a very little use of an artificial limb he is forced to his crutches; the shriveled condition of the thigh urges the impression that it would have been preferable if a proper amputation had occurred above the knee, insuring claimant's general health.

2d. The medical referee states that the mass of muscles upon the side of the other limb was severed by a second gunshot wound, naturally rendering locomotion vexatious. He says, "It should seem from the course of the missile that the fibula was fractured," that "The movements of the leg are consequently limited, and certain of them necessarily painful." The disabled condition of the remaining leg forces your committee to the conclusion that claimant's disabilities are greater than if amputation had occurred above the knee; adding to these severe injuries a shattered constitution entitles him to relief in accordance with the spirit of existing laws; and as they are not of that character as will give the desired relief, the committee are of the opinion that Congress should grant the same. They therefore return the bill to the House, and recommend its passage.

The committee recommend that House bill be amended by striking out the words "*twenty-four*," in the seventh line of section 1, and inserting *thirty*; and in line 6, of the same section, the words "*eighteen hundred and sixty-four*" and inserting the words *from the passage of this act*.

The committee, therefore, adopt the House report as the report of this committee; and finding the claim of the said J. Jackson Purman for an increase of pension to be just, the committee report back said House bill and recommend that it do pass.